



THE CITY OF NEW YORK
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April 17, 2020

By ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Humphreys v. New York City Health and Hospitals Corporation,
16 Civ. 9707 (VSB)
Our No. 2017-003339

Dear Judge Broderick:

I am an Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, attorney for defendant in the above-referenced action. In accordance with Rule 1(G) of the Court's Individual Rules and Practices, defendant writes to respectfully request that the fact discovery deadline of April 30, 2020, be extended to July 30, 2020, and to adjourn the post-discovery conference scheduled for May 15, 2020, to a date after July 30, 2020 that is convenient to the Court. Plaintiff consents to both of these requests. The Court noted in its January 15, 2020 Order that a further discovery extension would be granted only under exceptional circumstances. The parties believe that the COVID19 pandemic, and the concomitant practical difficulties that have resulted from the pandemic, constitutes such a circumstance.

The undersigned was actively engaged on trial from February 27 until March 16 in Kings County Supreme Court so depositions could not be held during that time. The parties had scheduled defendants' and plaintiff's depositions to begin in late March to accommodate the trial's conclusion and planned on completing all depositions in April. However, HHC defense witnesses are performing essential work in response to the pandemic and cannot currently be scheduled for depositions. The long adjournment request is in light of the difficulty in scheduling time to both prepare and depose witnesses essential to this matter whose time is currently devoted to the medical emergency. Furthermore, files necessary to prepare and conduct the depositions are located in the defendant's offices and are less accessible due to the stay at home orders in effect.

HONORABLE VERNON S. BRODERICK

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For all these reasons, we respectfully request that fact discovery deadline be extended to July 30, 2020, and that the conference be adjourned to a date convenient to the Court after that date.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/

Mark Robert Ferguson
Assistant Corporation Counsel

To: Jillian T. Weiss
Law Office of Jillian T. Weiss, P.C.
Attorneys for Plaintiff
(By ECF)